

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

IN THE MATTER OF THE *EX PARTE*
APPLICATION OF NARA MARIA CAMARA
SOUZA FOR AN ORDER TO TAKE DISCOVERY
PURSUANT TO 28 U.S.C. § 1782

CASE NO. _____

***EX PARTE* APPLICATION OF NARA MARIA CAMARA SOUZA
FOR AN ORDER TO TAKE DISCOVERY PURSUANT TO 28 U.S.C. § 1782**

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Upon the accompanying memorandum of law, dated May 9, 2019, and the declarations of Nara Maria Camara Souza (“Ms. Souza”), dated May 3, 2019, Monica Guazzelli, dated April 29, 2019, and Jesse T. Conan, dated May 9, 2019, Ms. Souza, a Brazilian national, respectfully petitions this Court for an order pursuant to 28 U.S.C. § 1782 authorizing service of the subpoenas attached to this application as Exhibit A on Citibank N.A., Citigroup Inc., and Israel Discount Bank of New York (“IDB Bank”) (collectively, the “Banks”). The evidence sought from the Banks is for use in the Brazilian divorce proceeding pending between Ms. Souza, and her husband, Ari Edson Longoni.

As detailed in the accompanying memorandum of law, the Application meets the threshold requirements of 28 U.S.C. § 1782 (at 3-4): (1) the Banks are found in New York; (2) the discovery is for use in a foreign proceeding; and (3) Ms. Souza, as a litigant in the foreign proceeding, is an “interested person.” Further, the discretionary factors, highlighted in *Intel Corp. v. Advanced Micro Devices, Inc.*, 542 U.S. 241, 244-45 (2004), weigh heavily in favor of granting the Application (at 4-6): (1) The Banks are not participants in the foreign proceeding; (2) the foreign proceeding is a pending lawsuit and the discovery sought would be admissible and welcomed in the foreign proceeding; (3) the request does not circumvent any proof-gathering limits or policies in Brazil; and (4) the requests are narrowly tailored and would pose minimal burden on the Banks. Accordingly, Ms. Souza respectfully requests that her application for discovery be granted. A proposed order is attached as Exhibit B.

Dated: New York, New York
May 9, 2019

Respectfully submitted,

**BECKER, GLYNN, MUFFLY,
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/s/ Jesse T. Conan

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